

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF OHIO
WESTERN DIVISION**

Brandy D. Cook,

Case No. 3:14 CV849

Plaintiff

v.

ORDER

Commissioner of Social Security,

Defendant

This is an appeal from a decision denying the plaintiff's application for Social Security benefits.

Before me is the Magistrate Judge's Report and Recommendation (R&R) (Doc. 23), which found that a remand is required because the administrative law judge (ALJ) misapplied the treating-physician rule. Specifically, the Magistrate concluded the ALJ failed to adhere to the framework set forth in *Gayheart v. Comm'r of Soc. Sec.*, 710 F.3d 365 (6th Cir. 2013), in weighing the opinion of Dr. Boyd Koffman, the plaintiff's treating neurologist.

The Commissioner has filed a response stating she has no objection to the R&R.

Because I concur in the Magistrate Judge's R&R, it is ORDERED THAT

1. The R&R (Doc. 23) be, and the same hereby is adopted as the order of this court; and

2. The Commissioner's decision be, and the same hereby is vacated. This case is remanded for further proceedings consistent with the opinion.

So ordered.

/s/ James G. Carr
Sr. U.S. District Judge